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09/997,884	11/30/2001	Pascal Chesnais	NMP-001.01.	4187
25181	7590	08/24/2006	EXAMINER HAMZA, FARUK	
FOLEY HOAG, LLP PATENT GROUP, WORLD TRADE CENTER WEST 155 SEAPORT BLVD BOSTON, MA 02110			ART UNIT 2155	
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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/997,884

Applicant(s)

CHESNAIS ET AL.

Examiner

Faruk Hamza

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,6-41,44-64 and 66-90 is/are pending in the application.
- 4a) Of the above claim(s) 5,42,43 and 65 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-41,44-64 and 66-90 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

***Response to Amendment***

1. This action is responsive to the amendment filed on July 31, 2006. Claims 3 and 63 have been amended. Claims 5,42-43 and 65 have been canceled. Claims 88-90 are newly added. Claims 1-4,6-41,44-64 and 66-90 are pending.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4,6-10,12-25 and 88-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Samaha hereinafter referred as Abu-Samaha and further in view of Creswell et al. (U.S. Patent Number 6,564,264) hereinafter referred as Creswell.

Abu-Samaha teaches the invention substantially as claimed including a system receiving service call in any format and deliver to destination in appropriate format (See abstract).

As to claim 1, Abu-Samaha teaches a method for routing a message to a communications device, said method comprising:

receiving a message via a communications channel (Column 4, lines 36- Column 5, lines 21, Abu-Samaha discloses receiving message via communications channel);

converting said message into a uniform media format (Column 4, lines 36- Column 5, lines 21, Abu-Samaha discloses converting message into uniform media format);

identifying at least one of the following:

at least one user communications device to receive said message and at least one communications channel for delivering said message (Column 4, lines 36- Column 5, lines 21, Abu-Samaha discloses communications device to receive message and channel to deliver message);

converting said uniform media formatted message for at least one communications protocol (Column 4, lines 36- Column 5, lines 21, Abu-Samaha discloses converting uniform media format for communications protocol); and

forwarding said message formatted for said at least one communications protocol to said at least one user communications device via at least one communications channel (Column 4, lines 36- Column 5, lines 21, Abu-Samaha discloses forwarding formatted message to user communication device).

Abu-Samaha does not explicitly teaches claimed limitation of accessing a first database containing contact profile and location information and accessing a second database containing user preference information.

However, Creswell teaches the claimed limitation of accessing a first database containing contact profile and location information and accessing a second database containing user preference information (Column 3, lines 23-Column 4, lines 21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abu-Samaha by adding user contact information database and preference database, which will store user's contact and preference information separately in a systematic way. One would be motivated to do so to enhance the system's usability performance.

As to claim 2, Abu-Samaha teaches a method in accordance with claim 1, wherein said uniform media format is implemented in the extensible markup language (Column 9, lines 9-39).

As to claim 3, Abu-Samaha teaches a method in accordance with claim 1, wherein said at least one communications protocol includes at least one of the following: SMTP, HTTP, HDTP, WAP, SNPP, SMPP, SIP, SIMPLE, SMDI, Instant Messaging, Short Messaging Service and a Sender Application Program Interface (Column 4, 36-57).

As to claim 4, Abu-Samaha teaches a method in accordance with claim 1, wherein the step of identifying includes: receiving information from an application

via an application program interface gateway (Column 8, lines 57-Column 9, lines 8).

As to claim 6, Abu-Samaha teaches a method in accordance with claim 1 (Column 4, lines 36- Column 5, lines 21).

Abu-Samaha does not explicitly teach the claimed limitation of receiving contact profile or location information or said user preferences information.

However, Creswell teaches the claimed limitation of receiving contact profile or location information or said user preferences information (Column 3, lines 23-Column 4, lines 21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abu-Samaha by adding user contact and preference information, which will provide better services to its users. One would be motivated to do so to enhance the system's usability performance.

Claim 7 does not teach or define any new limitation other than above claim 6 and therefore are rejected for similar reasons.

As to claim 8, Abu-Samaha teaches a method in accordance with claim 1 (Column 4, lines 36- Column 5, lines 21).

Abu-Samaha does not explicitly teach the claimed limitation of storing received message or uniform media formatted message or formatted message for communications protocol.

However, Creswell teaches the claimed limitation of storing messages in a database (Fig. 1, 22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abu-Samaha by adding functionality for storing messages, which will provide better services to its users. One would be motivated to do so to enhance the system's usability.

As to claim 9, Abu-Samaha teaches a method in accordance with claim 1 (Column 4, lines 36- Column 5, lines 21).

Abu-Samaha does not explicitly teach the claimed limitation of accessing database through a user interface.

However, Creswell teaches the claimed claimed limitation of accessing database through a user interface (Column 3, lines 22-Column 4, lines 22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abu-Samaha by adding functionality for accessing database, which will provide better services to its users. One would be motivated to do so to enhance the system's usability.

Claim 12-13 do not teach or define any new limitation other than above claim 9 and therefore are rejected for similar reasons.

As to claim 10, Abu-Samaha teaches a method in accordance with claim 1, further comprising: monitoring delivery status information of said message forwarded to said at least one identified communications device (Column 7, lines 49-65).

As to claim 14, Abu-Samaha teaches a method in accordance with claim 1, further comprising:

determining whether said message formatted for a first communications protocol has been delivered via a first communications channel (Column 4, lines 36-Column 5, lines 57);

retrieving said copy of said uniform media formatted message from said database (Column 4, lines 36-Column 5, lines 57);

identifying at least one of the following:

a second communications device to receive said message and a second communications channel for delivering said message (Column 4, lines 36-Column 5, lines 57);

converting said uniform media formatted message for a second communications protocol (Column 4, lines 36-Column 5, lines 57); and

forwarding said message formatted for said second communications protocol via said second communications channel (Column 4, lines 36-Column 5, lines 57).



Abu-Samaha does not explicitly teach the claim limitation of maintaining message in a database.

However, Creswell teaches the claimed limitation of storing messages in a database (Fig. 1, 22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abu-Samaha by adding functionality for storing messages, which will provide better services to its users. One would be motivated to do so to enhance the system's usability.

As to claim 15, Abu-Samaha teaches a method in accordance with claim 1, wherein:

a first communications channel and a second communications channel are identified,

said uniform media formatted message is converted for a first communications protocol corresponding to said first communications channel and also is converted for a second communications protocol corresponding to said second communications channel,

and wherein said message formatted for said first communications protocol is forwarded via said first communications channel and said message formatted for said second communications protocol is forwarded via said second communications channel (Column 4, lines 36-Column 5, lines 57).

As to claim 16, Abu-Samaha teaches a method in accordance with claim 1, further comprising:

maintaining a virtual session between a sender and a recipient, wherein said uniform media formatted message is converted for an instant messaging communications protocol and wherein said converted message is forwarded to said recipient via an instant messaging communications channel (Column 4, lines 36-Column 5, lines 57).

As to claim 17, Abu-Samaha teaches a method in accordance with claim 1, wherein said step of receiving includes directing said message to a receiving transport agent and wherein said receiving transport agent converts said message into a uniform media format (Column 4, lines 36-Column 5, lines 21).

As to claim 18, Abu-Samaha teaches a method in accordance with claim 17, further comprising:

delivering said message converted into a uniform media format to a core messaging module, wherein said core messaging module identifies said at least one user communications device to receive said message (Column 6, lines 65-Column 7, lines 10).

As to claim 19, Abu-Samaha teaches a method in accordance with claim 18, wherein said core messaging module comprises a user manager module and

a message manager module and wherein said message manager module consults with said user manager module to identify at least one of the following: said at least one user communications device to receive said message and said at least one communications channel for delivering said message, and wherein said message manager module delivers said uniform media formatted message to at least one delivery transport agent (Column 4, lines 36-Column 5, lines 21; Column 8, lines 22-Column 9, lines 8).

As to claim 20, Abu-Samaha teaches a method in accordance with claim 19, wherein said at least one delivery transport agent converts said uniform media formatted message into a communications protocol and forwards said message formatted in said communications protocol to said identified at least one user communications device (Column 4, lines 36-Column 5, lines 21).

As to claim 21, Abu-Samaha teaches a method in accordance with claim 1, wherein said message is received at a receiving transport agent and wherein said receiving transport agent directs the conversion of said message into a uniform media format and directs the storage of said uniform media formatted message into a message storage database (Column 5, lines 22-57).

As to claim 22, Abu-Samaha teaches a method in accordance with claim 21, further comprising:

delivering a message handling request to a core messaging module wherein said message handling request corresponds to said received message and wherein said core messaging module identifies said at least one user communications device to receive said message (Column 8, lines 22-Column 9, lines 8).

As to claim 23, Abu-Samaha teaches a method in accordance with claim 22, wherein said core messaging module comprises a user manager module and a message manager module and wherein said message manager module consults with said user manager module to identify at least one of the following: said at least one user communications device to receive said message and said at least one communications channel for delivering said message, and wherein said message manager module delivers at least one message delivery request to at least one delivery transport agent (Column 4, lines 36-Column 5, lines 21; Column 8, lines 22-Column 9, lines 8).

As to claim 24, Abu-Samaha teaches a method in accordance with claim 23, wherein said at least one delivery transport agent directs the retrieval of said uniform media formatted message from said message storage database and directs the conversions of said uniform media formatted message into a communications protocol and forwards said message formatted in said communications protocol to said identified at least one user communications

device (Column 4, lines 36-Column 5, lines 21).

As to claim 25, Abu-Samaha teaches a method in accordance with claim 24, wherein at least one of the following is placed in a queue as determined by a load balancing module: said message handling request and said at least one message delivery request (Column 8, lines 37-56).

As to claim 88, Abu-Samaha teaches the method of claim 1 wherein converting said message into a uniform media format comprises:

Converting said message into a uniform media format, wherein a uniform media format is a data structure that preserves features from a source protocol and extracts salient features that may be used for analyzing the message (Column 7, lines 49-Column 8, lines 67).

Claims 89-90 do not teach or define any new limitation other than above claim 88 and therefore are rejected for similar reasons.

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Samaha and Creswell as applied above, and further in view of Official Notice.

As to claim 11, Abu-Samaha and Creswell teaches the method according to claim 1.

Abu-Samaha and Creswell do not explicitly teach the claimed limitation of storing delivery status information.

However, "Official Notice" is taken that storing delivery status information is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abu-Samaha and Creswell by adding delivery status information storing functionality, which will provide better status history. One would be motivated to do so to enhance system's usability.

4. Claim 85 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Samaha and Creswell as applied above, and further in view of Doeberl et al. (U.S. Patent Number 6,650,739) hereinafter referred as Doeberl.

As to claim 85, Abu-Samaha and Creswell teaches the method of claim 1.

Abu-Samaha and Creswell do not explicitly teach the claimed limitation of correlating schedule preferences with contact and location information.

However, Doeberl teaches the claimed limitation of correlating schedule preferences with contact and location information (See abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abu-Samaha and Creswell by adding the functionality of correlating schedule preferences with contact and location information, which will

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provide better service to users. One would be motivated to do so to enhance system's usability.

5. Claims 26-41,44-60 and 86 represent system and 61-64,66-84 and 87 represent program product that are parallel to method claims 1-4,6-25 and 85, therefore are rejected for similar reasons.

6. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

### ***Response to Arguments***

7. Applicant's arguments have been fully considered but they are not persuasive.

In the remarks applicant argues in a substance that; A) Abu-Samaha does not teach uniform media format.

In response to A) Applicant is reminded that claims limitation must be given reasonable broadest interpretation. Previously presented claim language failed to define uniform media format. Uniform media format was merely recited in the claims. However, newly added claims define uniform media format that preserves features from a source protocol and extracts salient feature that may be used for analyzing the message. Abu-Samaha teaches these defined features of uniform media format even though explicitly didn't use the term "uniform media format" (See Column 7, lines 49-Column 8, lines 67). Therefore, teaching of Abu-Samaha meets the claimed limitation of uniform media format.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155

  
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SUPERVISORY PATENT EXAMINER